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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCEL ALLEY,

Defendant.

Case No. CR 12-0495 SBA (KAW)

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING**

Defendant Marcel Alley, by and through Mary McNamara, and the United States, by and through Assistant United States Attorney James C. Mann hereby stipulate and agree to continue the hearing currently scheduled for January 28, 2013 to February 27, 2013. The reason for the stipulated continuance is that counsel for Mr. Alley is seeking records necessary to research Mr. Alley's criminal history, which have been requested from the state court but have not yet been received.

1 The parties agree that the ends of justice served by this continuance outweigh the best
2 interests of the public and the defendant in a speedy trial and therefore request that time be
3 excluded until February 27, 2013 pursuant to 18 U.S.C. § 3161(h)(7).

4 IT IS SO STIPULATED.

5 Dated: January 25, 2013

6 /s/
Mary McNamara
7 SWANSON & McNAMARA LLP
Attorneys for MARCEL ALLEY
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9 Dated: January 25, 2013

10 /s/
James C. Mann
Assistant United States Attorney
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14 **ORDER**

15 PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing currently set for
16 January 28, 2013 at 9:30 a.m. is continued to February 27, 2013 at 9:30 a.m. The Court finds
17 that the ends of justice served by this continuance outweigh the best interests of the public and
18 the defendant in a speedy trial and therefore orders that time is excluded until February 27, 2013
19 pursuant to 18 U.S.C. § 3161(h)(7).
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21 IT IS SO ORDERED.

22 Dated: 1/25/13

23 Kandis Westmore
Hon. Kandis A. Westmore
United States Magistrate Court
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